United States Court of Appeals
FOR THE EIGHTH CIRCUIT

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No. 11-1977

_____

David Stebbins	)	
Appellant	)	
	)	
v.	)	**On Appeal from the United States**
	)	**District Court for the Western**
Randal Richardson and	)	**District of Missouri**
Reliable Heat & Air, LLC	)	
Appellees	)	
	)	

MOTION TO CLARIFY

Comes now Appellant David Stebbins, who hereby submits the following motion to clarify the appellate court's order dismissing my claim for lack of jurisdiction. Please answer the following questions.

1. On what grounds do you claim lack of jurisdiction, notwithstanding 9 U.S.C. § 16(a)(1) (D)? It is because I should have filed an interlocutory appeal, per FRAP Rule 5? If it is not that, then what is it?

2. If it is because I should have filed an interlocutory appeal, why did not you not specify that in your original order? And why does that necessarily deprive you of jurisdiction?

3. Is the dismissal without prejudice? Can I refile it again, either once the litigation has run its course, or can I refile it right now, if I comply with FRAP Rule 5?

4. If I filed a FRAP Rule 5 petition for leave to appeal, would it be granted? Appealing a District Court order denying confirmation of an arbitration award is supposed to be taken as a matter of right. Therefore, as long as I comply with FRAP Rule 5, can you give me

confirmation that my petition for permission to appeal *will* be granted?

Wherefore, I respectfully pray that you answer these questions honestly and promptly.

<div align="right">
_____/s/ David Stebbin

David Stebbins

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APT #5

Harrison, AR 72601

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Randal Richardson and **Reliable Heat & Air, LLC** **Appellees**	))))) **District of Missouri**

CERTIFICATE OF SERVICE

I, Appellant David Stebbins, hereby certify that a true and correct copy of my motion to clarify was served on the appellees by allowing them to view the notice of docket activity on ECF, per Local Rule 25B.

_____/s/ David Stebbin

David Stebbins

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